

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

J.P.T Automotive, INC.

EXHIBIT AND WITNESS LIST

v.

Toyota Motor Sales, U.S.A., INC.

CASE NUMBER: 09-CV-204(JS)

PRESIDING USDJ/USMJ E. Thomas Boyle				PLAINTIFF'S ATTORNEY Susan B. Lyons			DEFENDANT'S ATTORNEY Carl J. Chiappa Katie M. Lachter			
HEARING/TRIAL DATE 3/30/09, 4/1/09				COURT REPORTER/ESR Ellen Combs			COURTROOM DEPUTY L. Lundy			
PTF. NO.	DFT. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES				FROM TIME	TO TIME
✓		3/30/09			Direct witness sworn	Richard Cirillo	testifies			
1		3/30/09	✓	✓	Approval Letter					
	✓	3/30/09			cross witness sworn	Richard Cirillo	testifies			
	C	3/30/09	✓	✓	Declaration of Richard Cirillo				testifies	
	A	3/30/09	✓	✓	to go to Dealer Agreement with Victory Toyota					
	G	3/30/09	✓	✓	Letter from M&T Bank					
	B	3/30/09	✓	✓	Order to Show Cause Temporary Order				09-00286	
	E	3/30/09	✓		JPT Automotive Sales Tax				11/31/09	
	F	3/30/09	✓	✓	Invoices from Burnside to J.P.T. Toyota				V. 6003	
	H	3/30/09	✓	✓	Forbearance Agreement					
	I	3/30/09	✓	✓	Notice of Default & Notice of Termination					
	J	3/30/09	✓	✓	10/15/08 Notice of Termination					
	K	3/30/09	✓	✓	10/20/08 Notice of Termination					
	L	3/30/09	✓	✓	12/19/08 Extension of Termination Deadline					
	T	4/1/09	✓		Letter to Carl J. Chiappa from Susan Lyons					
2		4/1/09	✓		Letter to Carl J. Chiappa from Susan Lyons					
3		4/1/09			Letter to Carl J. Chiappa from Susan Lyons					
	✓	4/1/09			cont cross witness sworn	Richard Cirillo	testifies			

*INCLUDE A NOTATION AS TO THE LOCATION OF ANY EXHIBIT NOT HELD WITH THE CASE FILE OR NOT AVAILABLE BECAUSE OF SIZE

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HEARING/TRIAL DATE 4/1/09				COURT REPORTER/ESR Ellen Combs		COURTROOM DEPUTY L. Lundy		
PTF. NO.	DFT. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES		FROM TIME	TO TIME
	M	4/1/09	✓	✓	Letter to Frank ^{X. Treanor} ^{C. Lutter, 20} from dated 1/20/09			
	N	4/1/09	✓	✓	Financial Statement of Victory Toyota 1/2008 - 12/2008			
	O	4/1/09	✓	✓	Financial Statement Victory Toyota 1/2009 -			
	P	4/1/09	✓	✓	Letter to Richard Cirillo From Mr. ^{Gull} ^{12/10/2008}			
	U	4/1/09	✓	✓	Complaint in 09-cv-204			
	R	4/1/09	✓	✓	Letter to Richard Cirillo from Kevin ^{Cour} dtd 11/28/09			
	S	4/1/09	✓		Letter to Richard Cirillo from Kevin ^{Cour} dtd 3/24/09			
✓		4/1/09			Re-direct/witness/sworn/Richard Cirillo testifies			
4		4/1/09	✓	✓	Letter of Intent from Mr. Chemela dtd 11/14/08			
5		4/1/09	✓	✓	Letter of Intent from Interstate Mr. Schiller 9/16/2008			
	✓	4/1/09			Re-cross/witness/sworn/Richard Cirillo testifies			
6		4/1/09	✓		Curriculum vitae Alan Richards			
✓		4/1/09			Direct/witness/sworn/Alan Richards testifies			
✓		4/1/09			cross/witness/sworn/Alan Richards testifies			
	✓	4/1/09			Financial statement of Victory Toyota 1/2008 - 10/2008			
✓		4/1/09			Re-direct/witness/sworn/Alan Richards testifies			
	✓	4/1/09			Direct/witness/sworn/Kevin ^{Cour} testifies			
✓		4/1/09			cross/witness/sworn/Kevin ^{Cour} testifies			

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